

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

|                             |   |                                  |
|-----------------------------|---|----------------------------------|
| CLINTON JAMES PEARSON, JR., | ) |                                  |
| AIS #155536,                | ) |                                  |
|                             | ) |                                  |
| Plaintiff,                  | ) |                                  |
|                             | ) |                                  |
| v.                          | ) | CIVIL ACTION NO. 2:17-CV-738-WHA |
|                             | ) |                                  |
| JOHN HARTLEY, et al.,       | ) |                                  |
|                             | ) |                                  |
| Defendants.                 | ) |                                  |

**ORDER**

This cause is before the court on the Recommendation of the Magistrate Judge entered on January 11, 2018 (Doc. #8). There being no timely objection to the Recommendation, and after review of the file, the Recommendation is ADOPTED, and it is hereby ORDERED as follows:

1. The plaintiff's claims against John Hartley are DISMISSED with prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).
2. The plaintiff's claims against District Attorney Ellen Brooks and the Attorney General for the State of Alabama are DISMISSED with prejudice in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i) and (iii).
3. The plaintiff's challenges to the constitutionality of the robbery convictions imposed upon him by the Circuit Court of Montgomery County, Alabama on March 3, 1997 are DISMISSED without prejudice pursuant to the provisions of 28 U.S.C.

§ 1915(e)(2)(B)(ii) as such claims are not properly before the court in this cause of action.

4. This case is DISMISSED prior to service of process in accordance with the directives of 28 U.S.C. § 1915(e)(2)(B)(i), (ii) and (iii).

A separate Final Judgment will be entered in accordance with this order.

DONE this 7th day of February, 2018.

/s/ W. Harold Albritton  
SENIOR UNITED STATES DISTRICT JUDGE